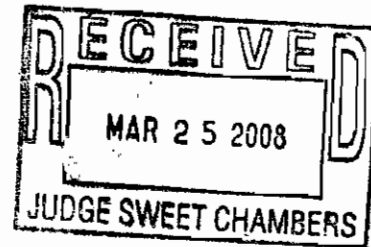


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



CHARLENE A. ROYCE, as parent and
guardian of TIFFANY M. WHEELER, a Minor,

Plaintiff,

v.

THOMAS R. WHEELER, LISA W.
HUZELLA, and MICHAELON A. WRIGHT,
each individually and as acting successor trustee
of the Thomas M. Wheeler Revocable Trust, u/a
dated April 9, 1986, as Amended and Restated,
43 WEST 64TH STREET LLC, a Michigan
corporation, and WHEELER FAMILY
FOUNDATION, INC., a Delaware nonprofit
corporation,

Defendants,

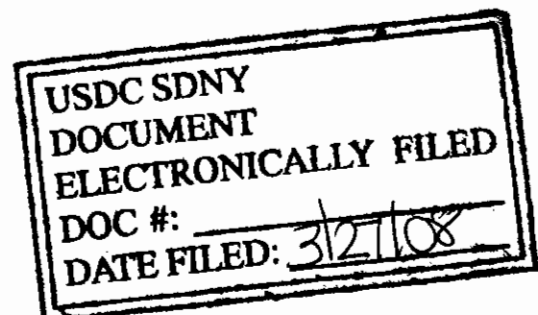
— and —

KRYSTAL WHEELER,

Nominal Defendant.

Civil Action No. 07-CV-10968 (RWS)

STIPULATION AND ORDER



IT IS HEREBY STIPULATED AND AGREED, by and between undersigned
counsel for Plaintiff Charlene A. Royce, as parent and guardian of Tiffany M. Wheeler, a
minor ("Plaintiff"), and Defendants Thomas R. Wheeler, Lisa W. Huzella and Michaelon
A. Wright, each individually and as acting successor trustee of the Thomas M. Wheeler
Revocable Trust, u/a dated April 9, 1986, as Amended and Restated, 43 West 64th Street
LLC, and Wheeler Family Foundation, Inc. (collectively, "Defendants"), as follows:

1. The initial pretrial conference scheduled for Wednesday April 16, 2008 at 4:30 pm in Courtroom 18C, is hereby rescheduled for 12:00 noon on the same day, or such other date and time as the Court may fix.

2. Plaintiff's time to respond to Defendants' motion to dismiss is hereby extended up to and including April 21, 2008.

2. Defendants' time to reply on its motion is hereby extended to May 6, 2008.

3. Oral argument on Defendants' motion shall be heard at noon on Wednesday, May 14, 2008, in Courtroom 18C, or such other date and time as the Court may fix.

DATED: New York, New York
March 20, 2008

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*Attorneys for Defendants Thomas R. Wheeler,
Lisa W. Huzella, Michael A. Wright, 43
West 64th Street LLC, and Wheeler Family
Foundation, Inc.*

DATED: New York, New York
March 26, 2008

SO ORDERED:


Hon. Robert W. Sweet
U.S.D.J.